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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,503	04/18/2001	Vincent M. Callaghan	01-104	8044
7	12/28/2004		EXAMINER	
Gregory P. La	aPointe LaPOINTE, P.C.			
Suite 1201			ART UNIT	PAPER NUMBER
900 Chapel Str				
New Haven, CT 06510-2802			DATE MAILED: 12/28/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Notification of Non-Compliant Appeal Brief (37 CFR 41.37)		Application No.	Applicant(s)	Applicant(s)			
		09/837,503		CALLAGHAN ET AL.			
		Examiner	Art Unit				
		Basia Ridley	1764				
	The MAILING DATE of this communication app	pears on the cover shee	t with the correspondence a	ddress			
The Ap	opeal Brief filed on 14 October 2004 is defective	for failure to comply wi	th one or more provisions o	of 37 CFR 41.37.			
MONT	oid dismissal of the appeal, applicant must file a of the or THIRTY DAYS from the mailing date of this DD MAY BE GRANTED UNDER 37 CFR 1.136.						
1. 🛛	The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.						
2. 🗔	The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed or confirmed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).						
3. 🛚	At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).						
4. 🛚	(a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).						
5. 🛚	The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi))						
6. 🛛	The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).						
7. 🗌	The brief does not contain a correct copy of the 41.37(c)(1)(viii)).	e appealed claims as a	n appendix thereto (37 CFF	र			
8. 🗌	The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).						
9. 🗌	The brief does not contain copies of the decision identified in the Related Appeals and Interferer 41.37(c)(1)(x)).						

Francisch Meg Examiner 1764

10. Other (including any explanation in support of the above items):